

Translation

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PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference VJ3-02085PCT	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR2003/001854	International filing date (day/month/year) 18 juin 2003 (18.06.2003)	Priority date (day/month/year) 24 juin 2002 (24.06.2002)
International Patent Classification (IPC) or national classification and IPC F16L 59/02		
Applicant SAINT-GOBAIN ISOVER		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>6</u> sheets, including this cover sheet.  <input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).  These annexes consist of a total of _____ sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 19 août 2003 (19.08.2003)	Date of completion of this report 10 September 2004 (10.09.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/FR2003/001854

## I. Basis of the report

## 1. With regard to the elements of the international application:\*

- ☒ the international application as originally filed
- ☒ the description:  
pages \_\_\_\_\_ 1-19 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages \_\_\_\_\_ 1-20 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages \_\_\_\_\_ 1/9-9/9 \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
pages \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. Statement

Novelty (N)	Claims	1-16	YES
	Claims	17-20	NO
Inventive step (IS)	Claims	1-16	YES
	Claims	17-20	NO
Industrial applicability (IA)	Claims	1-20	YES
	Claims		NO

### 2. Citations and explanations

Reference is made to the following documents:

D1: FR 2 740 804 A (SAINT GOBAIN ISOVER) 9 May 1997 (1997-05-09)

D2: DE 11 90 391 B (GEWERK EISENHUETTE WESTFALIA) 1 April 1965 (1965-04-01)

D3: US 4 064 627 A (VINCENT ZANFINI) 27 December 1977 (1977-12-27)

D4: US 4 064 626 A (MESHULAM ET AL) 27 December 1977 (1977-12-27)

Documents D3 and D4 have not been cited in the international search report.

Document D1, which is considered the prior art closest to the subject matter of claim 1, describes (references between parentheses apply to said document) an insulating panel (see page 1, lines 19-25) comprising at least one insulating mineral wool core (6) and an outer aluminium-based layer (1).

Consequently, the insulating panel of claim 1 differs from this known insulating panel in that it has, on an outer surface thereof, a plurality of rectilinear markings,

angled relative to the longitudinal direction of said panel, said markings forming two opposite-angled arrays, arranged at an angle  $\gamma$  relative to the longitudinal direction.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem that the present invention aims to solve can therefore be considered to be that of changing more easily the orientation of a conditioned air distribution conduit consisting of a plurality of insulating panels.

The solution to said problem, as proposed in claim 1 of the present application, is considered to involve an inventive step (PCT Article 33(3)) for the following reasons:

- a plurality of rectilinear and angled markings on a panel, which markings form two opposite-angled arrays arranged at an angle  $\gamma$  relative to the longitudinal direction of said panel, is already known (see document D2, column 2, lines 40-47):
- contrary to claim 1, the rectilinear and angled markings according to document D2 are not used to facilitate cutting of the panel along the marking lines, but are the result of a manufacturing method intended to reduce the weight of the panel.

In view of the above points, it is obvious that incorporating markings as per document D2 in an insulating panel as per document D1 goes beyond the standard technical measures that a person skilled in the art might apply to solve the stated problem. The other prior art

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documents do not suggest the solution proposed by claim 1 either.

The solution to said problem, as proposed in claim 1, and the conduit according to claim 8 as well as the method for producing same as per claim 10 meet the requirements of novelty and inventive step of the PCT.

Claims 2-7, 9 and 11-16 are dependent on claim 1, and therefore also meet, as such, the requirements of novelty and inventive step of the PCT.

Document D3 describes (references between parentheses apply to said document) a cutting implement (see figure 2) with two blades (16, 18) located in a single plane, the cutting edges of each of said blades (16, 18) being respectively arranged at opposite angles and the first cutting edge being of a lesser height than the second cutting edge, as seen in the general cutting direction (see claims 2 to 3).

The subject matter of claim 17 does not therefore comply with the criterion of novelty (PCT Article 33(2)).

Dependent claims 18-20 do not contain any feature which, in combination with those of any of the claims to which they refer, defines subject matter that meets the PCT requirements with respect to novelty and/or inventive step (see document D3, figure 2 and document D4, column 3, lines 2-21).